

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HENRY UNSELD WASHINGTON,	)	2:15cv1031
	)	Electronic Filing
Plaintiff,	)	
	)	Judge David Stewart Cercone
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
ROBERT D. GILMORE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Pending before the Court are Plaintiff's Objections (ECF No. 172) to the Magistrate Judge's Report and Recommendation (ECF No. 168), which recommended that the Court grant the Partial Motion for Summary Judgment filed by Defendant Vihlidal (ECF No. 144), grant the Motion for Summary Judgment filed by the Medical Defendants (ECF No. 148) and deny the Motion for Summary Judgment filed by Plaintiff (ECF No. 163). The Magistrate Judge's Report and Recommendation was issued on March 1, 2019, and the parties were informed that the deadline to file written objections was March 18, 2019. After no objections were received, the Court entered a Memorandum Order on March 19, 2019, which adopted the Report and Recommendation as the Opinion of the Court. (ECF No. 169.) The Court received Plaintiff's written Objections on March 21, 2019, but the envelope indicates a postmark date of March 18, 2019. (ECF No. 172.) Pursuant to the prisoner mailbox rule, the Court will consider the Objections as timely filed.

In resolving a party's objections, the Court conducts a *de novo* review of any part of the Report and Recommendation that has been properly objected to. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The Court may accept, reject, or modify the recommended disposition, as well as receive further evidence or return the matter to the magistrate judge with instructions. *Id.*

After careful *de novo* review of the record, together with the Magistrate Judge's Report and Recommendation, and Plaintiff's Objections thereto, the following Order is now entered.

AND NOW, this 21<sup>st</sup> day of March, 2019;

**IT IS HEREBY ORDERED** that the Court's Memorandum Order entered on March 19, 2019, (ECF No. 169) remains in full force and effect as supplemented herein to indicate Plaintiff's filing of timely Objections.



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David Stewart Cercone  
Senior United States District Judge

cc: Henry Unseld Washington  
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